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10/601,017	06/20/2003	Takamichi Naito	11333/23	7116
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		EXAMINER		
		RAMILLANO, LORE JANET		
		ART UNIT		
		PAPER NUMBER		
		1743		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10601017	6/20/2003	NAITO ET AL.	11333/23

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**EXAMINER**

Lore Ramillano

**ART UNIT****PAPER**

1743


20070510

**DATE MAILED:**

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**Commissioner for Patents**

The amendment filed on 3/7/07 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The new claims are not readable on the elected invention because it does not appear that the new claims represent the same invention that was elected by applicant's representative, Gregory H. Zayia, on 8/17/06. In the new claimed invention of claims 32 and 41, the invention recites new limitations which are not readable on the elected invention, which include the following, "an operation screen displaying means for displaying an operation screen on the display, the operation screen comprising a menu button for displaying a hierarchical menu for operating the analyzer, the hierarchical menu comprising a first layer and a second layer; first selecting means for selecting the menu button of the operation screen; first layer displaying means for displaying the first layer of the hierarchical menu on the operation screen when the menu button is selected by the first selecting means, the first layer comprising a first menu item for displaying the second layer; second selecting means for selecting the first menu item; second layer displaying means for displaying the second layer of the hierarchical menu on the operation screen when the first menu item is selected by the second selecting means, the second layer comprising a second menu item for executing an operation of the analyzer; third selecting means for selecting the second menu item; and operation executing means for executing the operation when the second menu item is selected by the third selecting means." In the new claimed invention of claim 39, the invention recites the following new limitations that are not readable on the elected invention, which include a combination of the limitations recited in claims 32 and 41, and in addition the following limitations, "third layer displaying means for displaying the third layer of the hierarchical menu on the operation screen when the second menu item is selected by the third selecting means, the third layer comprising a third menu item for executing a first operation of the analyzer and a fourth menu item for executing a second operation of the analyzer which is different from the first operation; fourth selecting means for selecting one of the third menu item and the fourth menu item; first operation executing means for executing the first operation when the third menu item is selected by the fourth selecting means; and second operation executing means for executing the second operation when the fourth menu item is selected by the fourth selecting means." Likewise, the new claimed invention of claim 46 recites limitations which are not readable on the elected invention because it recites a similar combination of new limitations, as recited in the inventions of claims 32, 39, and 41. Therefore, because these new claimed inventions appear to represent distinct and independent inventions from the claimed elected invention, examiner interprets these new claims as presenting only claims drawn to new additional groups of non-elected inventions. Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

  
Jill Warden  
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Technology Center 1700